

REMARKS/ARGUMENTS

Specification

The Applicant submits that the marked up and clean copy of the specification submitted with the response of September 17, 2003, was sent to the USPTO via FedEx. The FedEx tracking number was 8387 7764 5589 and a copy of the FedEx International Airway bill and of the Track Shipments Detailed Results is attached. As the Examiner appears not to have received the necessary documents in our previous response, the Applicant encloses with the confirmation copy of this response a copy of the previously sent (9/17/03) marked up and clean copy substitute specification.

Claims

The Examiner rejected claims 1-4. By this amendment, claim 1 has been amended. Therefore claims 1-4 remain pending in the application.

Claim Rejections – 35 USC §102

Claims 1 and 3-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Vogel (U.S. Patent 5,668,596) in view of McIntyre et al. (U.S. Patent 5,894,326). The rejection is respectfully traversed.

The Examiner states that the system of Vogel applies color correction (color correction matrix 40) to a second image in rapid succession based on the determined color characteristics (matrix coefficient memory 36) of a first test image as shown in Figure 4 (see col. 6, lines 18-46). The Examiner pointed out that the term "in rapid succession" in Applicant's claim 1 is so broad that it does not define the exact time between the first test image and the second image. Therefore the Examiner concluded that the disclosure of Vogel satisfies the "in rapid succession" limitation of Applicant's claim 1.

The above procedure described in Vogel applies to a calibration of a camera in a "production or service environment". See, e.g., col. 6, lines 34-37: "In the production environment, optical sub-assemblies 20 can be fabricated, calibrated and stocked for later integration into the final product 10 without the need for calibrating the final product." Therefore it is clear that the test images of Vogel may be captured during a calibration procedure before a camera is even assembled, and the second images of Vogel are captured later in the final camera product.

By the present amendments, the applicant has therefore attempted to further distinguish the automated, in-camera color correction of the present invention from the calibration procedure of Vogel. First, the present amendments to claim 1 specify that the first and second images of the present invention are sensed by the same user of the camera. Second, the present amendments to claim 1 specify that the scene that is sensed in the second image is the same scene that is sensed in the first image. Thus, for example, if a user of the hand held camera intends to take a picture of a landscape, the method of claim 1 means that the user senses a first image of the landscape and the camera then processes the first image to determine color characteristics of the landscape image. Then, in rapid succession, the same user takes a substantially identical picture *of the same landscape* by sensing a second image of the landscape. The second image of the landscape is then color corrected based on the determined color characteristics of the first image of the landscape.

Neither Vogel nor McIntyre disclose or fairly suggest such a method of a single user sensing two images of the same scene in rapid succession.

The Applicant submits that the Examiner's remaining rejections to dependent claims 2-4 are now moot in light of the present amendment to claim 1. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

Applicant:



KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762

Thymage
For FedEx services worldwide
1-800-361-1000

Sender's Conv.

Or in the U.S., call 800.247.4747. Outside the U.S., call your local FedEx office.

Track Shipments
Detailed Results [Quick Help](#)

| | | | |
|--------------------|-----------------------|-------------------|---|
| Tracking number | 838777645589 | Reference number | IR4US |
| Signed for by | M.ASFAW | Delivered to | Ship'g/Receiv'g |
| Ship date | Sep 17, 2003 | Delivery location | ROOM 1B03, |
| Delivery date/Time | Sep 22, 2003 10:13 am | Service type | ARLINGTON VA International Priority Service |

| Date/Time | Status | Location | Comments |
|--------------|----------|---------------------------------------|---|
| Sep 19, 2003 | 8:37 am | On FedEx vehicle for delivery | ARLINGTON VA |
| | 12:41 pm | Left FedEx Ramp | ALEXANDRIA VA |
| | 12:13 pm | Package status | DULLES VA |
| | | | ALEXANDRIA VA |
| | 12:12 pm | Package status | Package in FedEx location |
| | | | Package in FedEx location |
| | 10:22 am | Delivery attempt | Customer not available or Business closed |
| | 10:22 am | Delivery attempt | Customer not available or Business closed |
| | 9:23 am | On FedEx vehicle for delivery | ROOM 1B03, ARLINGTON VA |
| | 7:56 am | Arrived at FedEx Destination Location | ROOM 1B03, ARLINGTON VA |
| Sep 18, 2003 | 6:04 am | Arrived at FedEx Ramp | ALEXANDRIA VA |
| | 3:40 am | Left FedEx Sort Facility | ALEXANDRIA VA |
| | 1:49 am | Arrived at Sort Facility | DULLES VA |
| | 4:07 pm | Left FedEx Sort Facility | INDIANAPOLIS IN |
| | | | INDIANAPOLIS IN ANCHORAGE AK |



Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From
To

Add a message to this email.

